



Your State House Concord, New Hampshire



April 7, 2023

To my constituents in Allenstown, Dunbarton, Epsom, & Hooksett,

This week, I presented some bills to the Senate. HB 278, which I'd amended to simply cancel the repeal of the requirement that employers in the retirement system report on hours worked by retirees, was appreciated by the committee, since most of the members had been involved in the various changes we'd made to that statute over the years (even while it was, on paper, repealed!) HB 594, allowing the OPLC to grant licenses to people with out of state licenses as long as the other states requirements were "substantially similar," was also well received. I pointed out that no board has yet defined any other state's requirements as substantially similar or not, despite issuing many licenses to out of state applicants. Having the comparison in explicit rules will also make it easier for people moving to New Hampshire. A senator brought in an amendment allowing physicians with an ongoing relationship with a patient provide telehealth without a New Hampshire license, which I generally support but wonder why we need to keep making exceptions to that very recent requirement...

My committee also met to hear Senate bills. SB 203, on the composition of the manufactured housing board, provided a lot of interesting data. This board, which is not a licensing board but a complaint resolution panel, was repealed by the governor's version of HB 2, and the Finance committee hadn't changed that decision, since the board has hardly met in the last four years. The bill reduced the board from eleven members to five, with two tenant aligned members, two representatives of park ownership, and one person familiar with low income housing. That seemed problematic, as the last member would end up

deciding the question most of the time. The current board makeup includes legislative and public members, as well as an attorney familiar with housing law, so there are enough neutral parties. The testimony was spirited and intense, with many tenants in the communities opposed to the state community loan fund, which has supported resident owned communities and in fact seems to be strongly pushing for parks to purchase their land, with a loan from this fund... I sent the bill to subcommittee, since we uncovered a lot of issues.

SB 146, on the other hand was simple: it slightly revises the duties of the agricultural advisory board, and was supported by both the current board and the commissioner of agriculture. We voted unanimously to recommend the bill. SB 208 requires online publishing of a "checkbook" for federal funds; we again voted to support it.

SB 49, creating a dedicated, non-lapsing fund for the OPLC was very similar to HB 445, which we passed on to the Ways & Means Committee. It included a reporting requirement not in HB 445, but not a cap on the fund. I presented an amendment to update the language to that of HB 445, which turned out to be only one sentence, adding a \$3 million cap before lapsing any surplus to the general fund at the end of the biennium. The committee discussed the bill, and were concerned that funds should be used only for the benefit of the fee-paying licensees. We decided to hold off voting on this while some members investigated proper language.

SB 107, on general administration of regulatory boards, had some good language about due process for license applicants (or holders) with criminal records. One questionable section deleted an option for disciplinary cases under the electricians' board to be appealed to the building code review



Your State House

Concord, New Hampshire



June 9, 2023

To my constituents in Allenstown, Dunbarton, Epsom and Hooksett,

Last week should have been a week off, since my committee has completed its work (less, of course, any committees of conference and scoping out our retained bills.) However, I was called to substitute in Finance for two days. The most interesting bill we considered was SB 204, about requiring trauma kits in state buildings. My committee had only considered the policy, deciding that they might save a life in case of a horrific accident, and that spending \$5-10,000 was reasonable for this precaution. My husband Dan was on the Finance division considering the bill, and he presented an amendment to eliminate the dedicated fund (not necessary to accept gifts and grants, which they knew and we didn't); extend the coverage to state **occupied** buildings (including the many leased facilities;) assigning the responsibility to Administrative Services, which acts as the landlord; and finally, funding this mandate. All in all, this amendment made the bill better and much easier to implement the policy my committee supported!

This week, the House met in session on the last of the Senate bills. SB 58, allowing arrests without a warrant in some circumstances while in a health care facility, had the committee amendment adopted on a voice vote, then we considered two floor amendments. The first added the text of HB 127, state of emergency reform, which had been killed in the Senate (but included in their version of the budget.) When the amendment sponsor spoke in favor **without mentioning** what the amendment did - and the opponent didn't either - it failed, 43-323, likely because most members had no idea what was being considered! At least, the

people sitting near me were confused, and I didn't see much confidence as I looked around the room. The second floor amendment was actually relevant, narrowing the criteria for allowing these arrests and referring to the statutes that defined the crimes being committed. It failed on a voice vote, and the bill passed.

SB 213, on educational policies on social media, had a rather lengthy and confusing debate. I finally realized that it was to allow CTE (career and technical education) students to get industry credentials from social media platforms (LinkedIn was the one mentioned.) This was a request of the hospitality and auto businesses, so a lot of representatives (and senators, apparently) wanted to agree with them; the opposition was concerned about privacy and exposing children to online predators. The bill passed, 201-175, with only Republicans in opposition.

SB 70, creating an electronic portal for voter information, had a committee amendment to allow use of federal election funds to buy new ballot counters for towns (since the current machines are obsolete and repairs are becoming more and more difficult.) Both the amendment and the bill passed on voice votes, without debate! I was opposed to the basic bill, as it seemed to offer more opportunities for voter fraud, but have no problem with the amendment.

SB 61, on surface water setbacks from landfills, had a committee amendment adopted 312-61, without discussion. As amended, the bill request the department of environmental services to examine its rules and hire a consultant to develop site-specific, updated criteria for clearance around landfills. A floor amendment, which had failed on a tie in committee, was debated at length on what seemed to be minor technical details. The



Your State House

Concord, New Hampshire



amendment failed, 152-226 (I supported it, but not strongly) and debate continued. Finally, the bill passed, 236-132.

SB 149, on registering nurse agencies, was taken off the table, 190-188. After I spoke in a short debate, it passed, 191-187. I was opposed because the bill would have no practical effect: registration doesn't give the state much authority to discipline bad actors, and the real problem is the nationwide shortage of nurses that allows them to raise prices at will. However, the county nursing homes felt it might help them maintain a supply of nurses without being extorted by the agencies, and they convinced many representatives to “do something.”

SB 172, allowing court appointed guardians to receive welfare benefits (if they request them and are otherwise qualified,) had a floor amendment to add in the text of HB 117, declaring that a tenant could be evicted at the end of a lease without other cause. This bill passed the House but was killed in the Senate, and for some reason the Democrats furiously debated it *again*. From a mistaken Supreme Court decision a few years ago, this policy gives tenants indefinite residency unless they commit some evictable offense; landlords must continue to provide housing even if they would prefer not to do so. Still, the Democrats had the bodies in the seats, and the amendment failed, 185-188. The basic bill – which nobody opposed – passed on a voice vote.

Then, immediately after lunch (thank you, Realtors!) we took up the Senate version of the budget. HB 1, the numbers, was approved 351-25, after a short debate. The opposition wanted to delay the vote “to read the amendments” but since nobody actually *reads* HB 1 it didn't convince anyone (at best anyone outside of Finance looks at

the summary pages and the report from the Legislative Budget Assistant.) HB 2, the law changes needed to make the budget work – and a few other items – was debated over education funding (massively changed by the Senate from the House version) and pension issues. The Senate stripped out not only HB 436, restoration of some of the changes made in 2011 to Group II, (police, fire, and corrections) but also HB 50, which paid down some of the unfunded liability with some of the surplus. Police and fire members of the House (and their sympathizers) were opposed, as were a number of more libertarian types who fought the increased number of state police part-timers. I wasn't pleased with either position myself, but I voted for accepting this budget (rather than gambling on a committee of conference) because it included some items that I feared would be lost in a conference: state of emergency reform; a sunset for expanded Medicaid; and final repeal of the Interest & Dividends Tax. A motion to table failed, 44-334, and after more debate the budget passed, 326-53. It's not the best budget – it spends too much, plays games with “off-budget” expenses, and the education funding doesn't address the property poor municipalities as well as the House plan – but it meets the *minimum* requirements for me to vote for a budget: no new taxes, some tax cuts, puts some money into the rainy day fund.

SB 204, trauma kits in state buildings, was amended and passed without debate.

SB 42, forbidding interest charges when repaying overpaid unemployment compensation (except in case of fraud) was debated over the committee amendment, which gave the agency an option to waive or adjust interest charges instead. It seemed like an awfully subtle point to be debating; the amendment failed, 186-187, and the bill passed, 196-178. SB 193, making a minor change to the



Your State House Concord, New Hampshire



definition of “good faith” in collective bargaining, passed 200-171 without debate.

SB 110, clarifying the definition of “resident” for transient individuals, largely so that the town of residence would reimburse another for services to the homeless, had some debate on various technicalities before passing, 190-180. I voted against because I believed the opponents' position that this bill merely reiterated current law. SB 132, prohibiting cities and towns from adopting sanctuary policies, was tabled, 203-168, before the debate.

SB 60, a clarifying update of a number of statutes dealing with water withdrawals, had the committee amendment adopted without comment. A floor amendment to add cannabis legalization failed on a voice vote, and the bill passed. SB 160, forbidding OHRVs registered to operate on the roads from operating on the recreational trails unless it also had a recreational license, had a floor amendment proposed to legalize blackjacks, slung shots and similar antique weapons. After a brief debate, the floor amendment failed on a voice vote and we passed the underlying bill.

SB 54, about purchased power agreements, had the committee amendment, plus a floor amendment that was inadvertently omitted from the committee amendment, all adopted on voice votes without debate, just a short explanation of the floor amendment. SB 94, updating the statutes for childcare licensing, passed, 329-34, without debate.

SB 118, requiring children under 2 be in rear-facing car seats, was debated and passed, 192-173. I was opposed because the testimony was that over 90% of infants are in these seats already, and the mandate might make it harder for multi-child

families to have enough car seats – or convince parents that 2 year old *should* be forward facing, when actually experts recommend keeping them backwards as long as possible. SB 256, requiring OHRV operators to complete a training program, similar to the boat safety course, was debated, then passed, 186-179. I was opposed because the exemptions were wrong: they exempted people born before 1978, rather than people with experience in operating these devices.

SB 49, creating a dedicated fund for OPLC, passed without comment. CACR 9, putting the first in the nation primary in the state constitution, was tabled without comment.

SB 107, general administration of regulatory boards, had the committee amendment adopted without debate. I then proposed an floor amendment to solve the issue of amending these statutes while we had just completely recodified them into a new statute; it authorized the enrolled bills committee to fix the references (otherwise we'd see a wave of fixes next year!) This passed without a problem as did the bill.

We didn't take up any more Senate messages, on House bills they amended or requests for committees of conference on Senate bills we amended. I was hoping that we could get started on them, but apparently the Speaker wants to hold all the committees in one week.



Representative Carol McGuire
carol@mcguire4house.com
782-4918